

# SENATE BILL 1098

L6, M3

2lr3446

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By: **Senator Conway**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 16, 2012

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 23, 2012

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – Construction Debris and Demolition Debris – ~~Recycling~~**  
3 **Prohibition Lumber**

4 FOR the purpose of ~~requiring a certain facility to accept for recycling certain~~  
5 ~~construction debris and demolition debris that contain lumber under certain~~  
6 ~~circumstances; prohibiting a certain facility from recycling certain construction~~  
7 ~~debris and demolition debris if the debris contains asbestos; providing for the~~  
8 ~~application of this Act; defining a certain term; prohibiting the Department of~~  
9 the Environment and Baltimore City from initiating an enforcement action or  
10 civil suit against a certain facility under a certain circumstance; and generally  
11 relating to recycling construction debris and demolition debris in Baltimore  
12 City.

13 BY adding to

14 Article – Environment

15 Section 9–258

16 Annotated Code of Maryland

17 (2007 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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Article - Environment

2 9-258.

3 ~~(A) IN THIS SECTION, "FACILITY" MEANS A RUBBLE LANDFILL OR ANY~~  
4 ~~OTHER SOLID WASTE ACCEPTANCE FACILITY.~~

5 ~~(B) THIS SECTION APPLIES TO A FACILITY LOCATED IN BALTIMORE~~  
6 ~~CITY THAT ACCEPTS CONSTRUCTION DEBRIS AND DEMOLITION DEBRIS FOR~~  
7 ~~RECYCLING.~~

8 ~~(C) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS~~  
9 ~~SUBSECTION, A FACILITY SHALL ACCEPT FOR RECYCLING CONSTRUCTION~~  
10 ~~DEBRIS AND DEMOLITION DEBRIS THAT CONTAIN A MIXTURE OF CONCRETE,~~  
11 ~~BRICK, AND LUMBER IF THE LUMBER DOES NOT EXCEED 10% BY VOLUME OF~~  
12 ~~THE MIXTURE.~~

13 ~~(2) A FACILITY MAY NOT ACCEPT A MIXTURE OF CONCRETE,~~  
14 ~~BRICK, AND LUMBER FOR RECYCLING IF THE MIXTURE CONTAINS ASBESTOS.~~

15 THE DEPARTMENT AND BALTIMORE CITY MAY NOT INITIATE AN  
16 ENFORCEMENT ACTION OR CIVIL SUIT AGAINST A FACILITY IN BALTIMORE CITY  
17 THAT ACCEPTS FOR RECYCLING CONSTRUCTION DEBRIS AND DEMOLITION  
18 DEBRIS THAT CONTAINS A MIXTURE OF CONCRETE, BRICK, AND LUMBER, IF THE  
19 LUMBER DOES NOT EXCEED 10% BY VOLUME OF THE MIXTURE OF CONCRETE,  
20 BRICK, AND LUMBER.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.